

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Faith Smith

Plaintiff

v.

Peter Boukheir

Defendant

Civil Action No. 7:25-cv-01402-KM  
Motion is denied, without prejudice, for failure to  
follow the Court's Individual Practices.

So Ordered

3/31/25

MARCH 28, 2025

**DEFENDANT PETER BOUKHEIR'S MOTION TO DISMISS**

The Defendant, Peter Boukheir, (hereinafter "Mr. Boukheir"), by counsel and pursuant to FRCP Rule 12(b)(6) hereby moves is Honorable Court to enter an Order granting Mr. Boukheir's Motion to Dismiss for failure to state a claim on which relief can be granted. As outlined in the supporting Memorandum of Law, choice of law principles show that this Court should apply Connecticut substantive law and, under the Connecticut statute of limitations, this matter was instituted beyond the two-year deadlines. It is therefore barred.

Secondarily, in the event that this Court determined that New York should be applied, the matter should still be dismissed pursuant to FRCP Rule 12(b)(3) and New York Civil Practice Laws and Rules, Rule 327(a) on *forum non conveniens* grounds.

In support of this Motion, Mr. Boukheir simultaneously files, and incorporates by reference, his supporting brief.

**WHEREFORE**, the Defendant Mr. Boukheir respectfully requests that Plaintiff's Complaint be dismissed.

Respectfully Submitted,  
The Defendant,  
**Peter Boukheir**,  
By His Attorneys,

/s/ Michael D. DeMeola

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